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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE SUNPOWER SECURITIES
LITIGATION

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Case No. CV 09-5473-RS (JSC)
(Consolidated)

CLASS ACTION

**PLAINTIFFS' RENEWED
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF THEIR
MOTION TO COMPEL PRODUCTION
OF DOCUMENTS RESPONSIVE TO
FIRST SET OF DOCUMENT
REQUESTS AND CERTAIN
DOCUMENTS SUBMITTED IN
SUPPORT THEREOF**

1 On August 23, 2012, the Court denied without prejudice Plaintiffs' Administrative
2 Request to File Under Seal Their Motion to Compel Production of Documents Responsive to
3 First Set of Document Requests and Certain Documents Submitted in Support Thereof.
4 Docket No. 202. Pursuant to Civil Local Rules 7-11 and 79-5(d), General Order No. 62, this
5 Court's Civil Standing Order ("Standing Order") and the Stipulated Protective Order
6 Governing Confidentiality entered on August 20, 2012 (the "Protective Order") (Docket No.
7 197), Plaintiffs respectfully submit this Renewed Administrative Motion to File Under Seal
8 Portions of Their Motion to Compel Production of Documents Responsive to First Set of
9 Document Requests and Certain Documents Submitted in Support Thereof ("Administrative
10 Motion").

11 Plaintiffs' Motion to Compel Production of Documents Responsive to First Set of
12 Document Requests ("Motion to Compel") contains information from documents produced by
13 Defendants and non-party PricewaterhouseCoopers LLP ("PwC") that Defendants have
14 designated as "confidential" pursuant to the Protective Order.¹ See Docket No. 197. In
15 addition, Exhibits 1, 3, 9, 12, 14, 16, 21-25, 27 and 28 to the Declaration of Erik D. Peterson in
16 Support of Plaintiffs' Motion to Compel Production of Documents Responsive to First Set of
17 Document Requests ("Peterson Declaration") were designated as "confidential" by Defendants
18 or contain information from documents Defendants designated as "confidential." The
19 remaining Exhibits to the Peterson Declaration, Exhibits 2, 4-8, 10-11, 13, 15, 17-20, 26 and
20 29, are not requested to be filed under seal. Pursuant to the Civil Standing Order, the proposed
21 public redacted version of Plaintiffs' Motion to Compel, the Peterson Declaration and Exhibits
22 that do not contain information designated as "confidential" are attached as Exhibit A. See
23 Standing Order at 2.

24 Accordingly, Plaintiffs are filing and serving this Administrative Motion on Defendants
25 and PwC to give the designating parties an opportunity to "file with the Court and serve a
26 declaration establishing that the designated information is sealable, and [] lodge and serve a
27

28 ¹ PwC consented to Defendants' designation of PwC's documents as confidential.

1 narrowly tailored proposed sealing order, or [] withdraw the designation of confidentiality.”
2 See Civil Local Rule 79-5(d); see also Protective Order, §11; Docket No. 202 at 2:2-5;
3 Standing Order at 3.

4 Pursuant to General Order No. 62, the complete, unredacted versions of the Motion to
5 Compel and the Peterson Declaration will be lodged with the Court for in camera review and
6 served on Defendants and PwC.

7 Dated: August 24, 2012

Respectfully submitted,

8 KESSLER TOPAZ MELTZER
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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 24, 2012.

/s/ Erik D. Peterson
ERIK D. PETERSON

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